UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,684	01/30/2001	Jeffrey V. Cook	NAI1P071/00.101.01	8144

			EXAMINER
28875	7590	10/06/2004	DADA, BEEMNET W

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ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   Paper No(s)/Mail Date. _____.
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   5)☐ Notice of Informal Patent Application (PTO-152)
    Paper No(s)/Mail Date _____.   6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1, 17 and 18 have been amended, new claims 30-33 have been added on

amendment filed on June 18, 2004. Claims 1-33 have been examined.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claim 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moses et al

(hereinafter Moses) (US Patent No. 6,442,688 B1) in view of Guski et al (hereinafter Guski) (US

Patent No. 6,711,679 B1).

4.   As per claims 1, 17 and 18, Moses teaches a system for detecting changes to conditions

of electronic certificates, comprising:

        a first computer system (i.e., a server) monitoring said electronic certificates to detect

changes to conditions of said electronic certificates [column 3, lines 6-10 and column 5, lines

44-56]; and

        a second computer system (i.e., end user computers) coupled to said first computer

system [figure 1], said second computer system being notified by said first computer system of

changes in conditions of said electronic certificate [column 3, lines 7-14 and column 4, lines 54-

58]. Furthermore, Moses teaches the system that includes a server, plurality of end user

computers, a certification authority system, and a directory [column 3, lines 40-44, and figure 1],

wherein the server system monitors changes to the electronic certificates and notifies users

(end user computers) said changes [column 3, lines 6-14]. Moses fails to explicitly teach a

plurality of computer system, that is logically divided into a plurality of sections including a

primary tier, a secondary tier, a tertiary tier, and a fourth tier; wherein computer systems in one

tier are adapted for monitoring changes to certificates, contracting for determining a type of

change, or notifying changes to electronic certificates to computer systems in another tier.

However, in the same field of endeavor Guski teaches a public key infrastructure, where

a plurality of computer system, that is logically divided into multiple tier network [column 6, lines

62-67, column 7, lines 1-8 and column 8, lines 9-20], including a computer system in one tier

adapted for securely communicating certificate information to a computer system in a next tier

[column 7, lines 9-20, column 8, lines 21-36]; whereby nodes in one tier utilize a mutually

agreed key with nodes in the next tier [column 8, lines 40-47]. Therefore it would have been

obvious to one having ordinary skill in the art at the time the invention was made to modify

Guski's multiple tier network system into the certificate monitoring / notifying system of Moses.

Moses could have been modified by Guski to arrive at the claimed invention by having

the server, plurality of end user computers, certification authority system, and directory system,

that are adapted for monitoring and notifying changes to certificates (see Moses column 3, lines

40-44, and figure 1) and logically dividing the system into a multiple tier system, including a

computer system in one tier adapted for securely communicating certificate information to a

computer system in a next tier as taught by Guski (see Guski column 7, lines 9-20, column 8,

lines 21-36). One of ordinary skill in the art would have been motivated to modify Moses by

Guski as discussed above because in a public key infrastructure traditional client-server models

have -been extended into a multi-tier architecture as per teachings of Guski (column 2, lines 53-

65) and employing the multi-tier system within Moses would provide efficient and secure

transfer of information between different nodes.

5.   As per claim 2, the combination of Moses and Guski teaches the system as applied

above. Furthermore, Moses teaches the system, wherein said first computer system includes a

detecting module for monitoring changes to conditions of said electronic certificates and a

notifying module for notifying said second computer system [column 5, lines 52-60 and column

6, lines 8-28].

6.   As per claim 3 the combination of Moses and Guski teaches the system as applied

above. Furthermore,, Moses teaches the system, wherein said first computer system further

includes a processor for executing said detecting module and notifying module [column 5, lines

52-60 and column 6, lines 8-28].

7.   As per claims 4 and 10, the combination of Moses and Guski teaches the system as

applied above. Furthermore, Moses teaches the system, wherein said second computer system

(i.e., end user computers) includes a notification module [figure 2, unit 40, and column 5, lines

33-42].

8.   As per claim 5, the combination of Moses and Guski teaches the system as applied

above. Furthermore, Moses teaches the system, wherein said first computer system further

includes a contracting module for negotiating a contract [column 3, lines 65-67 and column 4, lines 1-8].

9.   As per claims 6-9, the combination of Moses and Guski teaches the system as applied above. Furthermore, Moses teaches the system, wherein said first computer system further includes an electronic certificate server (i.e., a certificate authority, see figure 1 unit 24) for providing access to said electronic certificates [column 6, lines 13-21].

10.   As per claims 11-14, the combination of Moses and Guski teaches the system as applied above. Furthermore, Moses teaches the system, wherein said second computer system is notified by said first computer system through a third computer system (i.e., where a third computer (an end-user) generates an update to its certificate to be transmit to the second computer (another end-user), where the server (first computer) is used as an intermediary for communication) [column 4, lines 47-59].

11.   As per claims 15, 16, 28 and 29, the combination of Moses and Guski teaches the system as applied above. Furthermore, Moses teaches the system, wherein said first computer system is a first server and said second computer system is a second server [column 5, lines 22-24 and column 3, lines 60-65].

12.   As per claim 19, the combination of Moses and Guski teaches the system as applied above. Furthermore, Moses teaches the method further comprising the step of creating an agreement between said first computer system and said second computer system defining

which changes in conditions should trigger a notification [column 3, lines 60-67 and column 4, lines 1-22].

13.   As per claim 20, the combination of Moses and Guski teaches the system as applied above. Furthermore, Moses teaches the method further comprising the step of recording said detected change in condition in said first computer system [column 4, lines 9-13].

14.   As per claims 21-23, the combination of Moses and Guski teaches the system as applied above. Furthermore, Moses teaches the method, further comprising the step of determining whether said detected change of condition is of interest to said second computer system [column 4, lines 48-52].

15.   As per claims 24-27, the combination of Moses and Guski teaches the system as applied above. Furthermore, Moses teaches the method, further comprising the step of determining a method of notification and a type of information to be relayed to said second computer system for said detected change to a condition of an electronic certificate [column 6, lines 27-42].

16.   As per claim 30, the combination of Moses and Guski teaches the system as applied above. Furthermore, Guski teaches the method, wherein said computer system in one tier adapted for securely communicating certificate information to a computer system in a next tier [column 7, lines 9-20, column 8, lines 21-36]; whereby nodes in one tier utilize a mutually agreed key with nodes in the next tier [column 8, lines 40-47].

17.   As per claims 31-33, the combination of Moses and Guski teaches the system as applied above. Furthermore, Guski teaches the method, wherein said computer system in said tiers are logically organized as a tree, as a ring, and as a web (i.e., logically divided into a plurality of sections) [column 7, lines 1-14].

Response to Arguments

18.   Applicant's arguments with respect to claim 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

19.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (703) 305-8895. The examiner can normally be reached on Monday - Friday (8:30 am - 6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

September 27, 2004

KIM VU
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